

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

Wednesday, September 14, 1949

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, September 13, 1949.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend D. L. Welch.

The reading of the Journal was dispensed with.

The Senate Daily Journal of Tuesday, September 13, 1949, was corrected as follows:

Page 5, column 2, line 2, counting from the bottom of the column, strike out the letters "P. M." and insert in lieu thereof the letters "A. M."

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

Senate Bill No. 7-X(49):

A bill to be entitled An Act relating to the establishment of a three percent general sales and use tax; providing for certain exemptions; providing a comprehensive plan of administration and enforcement; providing for the distribution of the proceeds collected; and making an appropriation.

—and the Committee reports same without recommendation.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

Senate Bill No. 8-X(49):

A bill to be entitled An Act amending Section 320.20, Florida Statutes, 1941, relating to the disposition of motor vehicle license moneys.

Senate Bill No. 9-X(49):

A bill to be entitled An Act repealing Section 3 of Chapter 20977, Laws of Florida, Acts of 1941 (the same being Section 204.03, Florida Statutes,) relating to a separate and additional license tax on inventory of merchandise.

Senate Bill No. 25-X(49):

A bill to be entitled An Act amending Section 192.06, Florida Statutes, relating to the exemption of certain properties from ad valorem taxes, and excluding properties held and operated for profit from the right to exemption under said section as amended.

—and the Committee reports same without recommendation.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

Senate Bill No. 6-X(49):

A bill to be entitled An Act amending Section 210.02, 1947, Cumulative Supplement, Florida Statutes, 1941, also designated as Section 2, Chapter 24363, Section 1, Chapter 23871, Consolidated with Section 2, Chapter 24363, Laws of Florida, Acts of 1947, and Section 210.18, 1947 Cumulative Supplement, Florida Statutes, 1941, also designated as Section 18, Chapter 22645, Laws of Florida, Acts of 1945, all relating to taxation, levying and imposing a tax on cigarettes and the collection and payment thereof; providing for employees and assistants in the administration thereof; providing for cigarette tax permitted to be imposed by incorporated municipalities; providing for a reduction in state cigarette taxes in an amount equal to such municipal tax; providing for disposition by Comptroller of funds collected; providing certain records be kept by wholesale dealers and agents; and providing for appropriation for administration hereof; and providing for appropriation of the proceeds of such tax; and providing for impounding of the proceeds of such tax in the event of the invalidity of certain sections of this Act.

—and the Committee reports same without recommendation.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Sheldon, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

Senate Bill No. 42-X(49):

A bill to be entitled An Act adding a new and additional section to Chapter 73, Florida Statutes, relating to eminent domain proceedings and providing that the court shall have jurisdiction and control over taxes and tax proceedings as to lands involved in eminent domain proceedings and that such tax proceedings may be stayed by the court pending the determination of the eminent domain proceeding.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Tucker moved that the Senate reconsider the vote by which Senate Bill No. 17-X(49) failed to pass the Senate on September 13, 1949.

And the motion went over under the rule.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senator McArthur—

Senate Bill No. 43-X(49):

A bill to be entitled An Act levying a special tax upon any foreign government or agency or commission of a foreign government who engages in the retail sale of articles manufactured in a foreign country; levying a special occupational license tax upon each retail store so operated in the State of Florida and providing a criminal penalty for the violation of this Act, and for other purposes.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Mathews—

Senate Bill No. 44-X(49):

A bill to be entitled An Act affecting the Government of the City of Jacksonville and authorizing the City of Jacksonville, Florida, to erect, acquire, rent, lease, own, operate or maintain garbage disposal or incinerator unit or units; to contract with any individual, firm, corporation or political subdivision for the erection, renting, leasing, operation, or maintenance of any garbage disposal or incinerator unit or units for a period not to exceed twenty (20) years; authorizing the City to charge and collect fees for the disposal of garbage or waste to be paid by such individuals, firms, or corporations for the use of said garbage disposal or incinerator unit; providing for the acquisition of land by condemnation or otherwise for the location of such units; providing for the financing of the same.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 44-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 44-X(49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 44-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 44-X(49) was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 44-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 44-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 44-X(49) the roll was called and the vote was:

Yeas—38.

Mr. President	Beall	Davis	King
Alford	Boyle	Franklin	Leaird
Ayers	Carroll	Gautier	Lindler
Baker	Clarke	Getzen	Mathews
Baynard	Collins	Johns	McArthur
Beacham	Crary	Johnston	Moore

Pearce
Pope
Ray
Rodgers

Sanchez
Shands
Sheldon
Shivers

Smith
Sturgis
Tucker
Walker

Wilson
Wright

Nays—None.

So Senate Bill No. 44-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Beacham—

Senate Bill No. 45-X(49):

A bill to be entitled An Act relating to special benefit parking districts in the Town of Palm Beach, Florida; authorizing the Town of Palm Beach to create and establish special benefit parking districts within its limits and to levy and collect annual taxes within said district for the purpose of acquiring and maintaining parking lots or buildings; providing for the filing of a petition by the owners of property within said districts as a condition precedent to the establishment of said districts; finding and declaring that the establishment of parking areas or districts within said town confers a special benefit upon the property within such district; determining the percentage of the cost of acquiring and operating parking areas to be assessed against the district; authorizing the Town Council to appropriate funds and establish and maintain parking lots and providing the method of replenishing said funds; providing that no such district shall become effective until thirty days after the adoption of the ordinance creating said district and setting forth other provisions and conditions relating to the establishment of said districts and the operation of public parking areas or buildings therein; repealing all laws in conflict herewith; providing that if any portion of this Act be declared unconstitutional it shall not affect the remainder thereof and providing when this Act shall become law.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 45-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 45-X(49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beacham moved that the rules be waived and Senate Bill No. 45-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 45-X(49) was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 45-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 45-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 45-X(49) the roll was called and the vote was:

Yeas—38.

Mr. President	Boyle	Gautier	Mathews
Alford	Carroll	Getzen	McArthur
Ayers	Clarke	Johns	Moore
Baker	Collins	Johnston	Pearce
Baynard	Crary	King	Pope
Beacham	Davis	Leaird	Ray
Beall	Franklin	Lindler	Rodgers

Sanchez	Shivers	Tucker	Wright
Shands	Smith	Walker	
Sheldon	Sturgis	Wilson	

Nays—None.

So Senate Bill No. 45-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Brackin—

Senate Bill No. 46-X(49):

A bill to be entitled An Act creating a small claims court in Okaloosa County, Florida; prescribing the jurisdiction of said court; providing for the appointment of a judge for said court and affixing his compensation and term of office; providing for a clerk thereof; providing that the judgments of said court shall become liens on real property when filed in the office of the Clerk of the Circuit Court; providing for a review of cases from said court; and generally to provide a forum and inexpensive procedure for the speedy trial of small claims cases.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 46-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 46-X(49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator McArthur moved that the rules be waived and Senate Bill No. 46-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 46-X(49) was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 46-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 46-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 46-X(49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So Senate Bill No. 46-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Sheldon—

Senate Concurrent Resolution No. 47-X(49):

A RESOLUTION DIRECTING THE STATE BUDGET COMMISSION TO RELEASE SUFFICIENT FUNDS FOR

THE PURPOSE OF RECOUPING CERTAIN UNMATCHED FEDERAL FUNDS FOR JULY AND AUGUST AND TO PREVENT THE REVERSION OF CERTAIN UNMATCHED FEDERAL FUNDS AVAILABLE FOR SEPTEMBER.

WHEREAS, the State Budget Commission found it necessary to reduce by twenty-five percent the funds available to the various state agencies; and

WHEREAS, as a result of this reduction the state welfare board was unable to fully match federal funds available for assistance to the aged, blind and dependent children in the months of July, August and September; and

WHEREAS, responsible officials of the Federal Social Security Administration in Washington have indicated that, if the State of Florida, at its special session, will provide the state funds within ninety days to match the federal funds which would ordinarily have gone to the three classes of recipients during July, August and September, that federal funds which tentatively lapsed can be made available; and

WHEREAS, if approximately \$230,000 of unmatched federal funds are matched by September 17th, it is believed that the state welfare board will be able to mail out checks by the 28th of September; Now, Therefore,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

1. That the State Budget Commission be directed to release sufficient funds as soon as possible to match the federal funds that were available for assistance to the aged, blind, and dependent children for the months of July and August and which have reverted to the federal government.

2. That the State Budget Commission be directed to immediately release sufficient state funds to match approximately \$230,000 of unmatched federal funds on hand and which will revert unless matched by the 17th of September to be used for assistance to the aged, blind and dependent children for the month of September.

Which was read the first time in full and referred to the Committee on Appropriations and the Committee on Welfare.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President indicated that in his opinion the following bill was not within the legislative business for which this extraordinary session was convened:

By Senator Sheldon—

Senate Bill No. 48-X(49):

A bill to be entitled An Act to amend Section 193.03, Florida Statutes, 1949, by providing for reduction of millage whenever assessment on basis of full cash value has been raised.

Pursuant to the rule the President submitted the question of whether or not Senate Bill No. 48-X(49) should be introduced for consideration by the Senate notwithstanding that it was not within the purview of business for which the extraordinary session was convened.

Upon call of the roll on the question the vote was:

Yeas—14.

Alford	Davis	Johnston	Walker
Baynard	Franklin	Leaird	Wilson
Beall	Gautier	Sheldon	
Crary	Johns	Smith	

Nays—24.

Mr. President	Clarke	McArthur	Sanchez
Ayers	Collins	Moore	Shands
Baker	Getzen	Pearce	Shivers
Beacham	King	Pope	Sturgis
Boyle	Lindler	Ray	Tucker
Carroll	Mathews	Rodgers	Wright

So the Senate refused to permit the introduction of Senate Bill No. 48-X(49) for consideration by the Senate.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 13, 1949

The Honorable Newman C. Brackin
President of the Senate:

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by a two-thirds vote.

By Mr. Papy of Monroe—

H. B. No. 31-X('49)—A bill to be entitled An Act to amend Section 2 of Chapter 23373, Laws of Florida, Special Acts of 1945, entitled, "An Act creating the Utility Board of the City of Key West, Florida to manage, operate, maintain, extend, improve and control the Municipal Electric Utility owned by the City of Key West; appointing the first members of said Board and fixing their terms of office; providing for the appointment and terms of office of subsequent members of said Board, providing that the Mayor shall be a member of said Board; prescribing its jurisdiction, powers, functions, authority, franchises, duties and privileges; and declaring the Legislative intention that said Act shall not be deemed repealed by an Act passed at the Regular Session of the Legislature in 1945 unless specific reference is made to said Act for such purposes", by appointing new members of said board and fixing their terms of office.

Proof of publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Messrs. Schuh and Clement of Pinellas—

H. B. No. 32-X('49)—A bill to be entitled An Act authorizing the reappraisal and revaluation of the taxable property in Pinellas County, Florida; prescribing the rights, authorities and duty of certain county officials in relation thereto and repealing all laws in conflict therewith.

Proof of publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Mr. Peeples of Glades—

H. B. No. 45-X('49)—A bill to be entitled An Act authorizing a total of four (4) licenses to sell intoxicating beverages in any county with a population not less than 2275 and not more than 2285 according to the latest state census, but outside the incorporated limits of any municipality in the aforesaid counties; and excepting from the operation hereof all operators of railroads, sleeping cars, steamships, buses and airplanes obtaining licenses good throughout the State of Florida under the beverage law of the State of Florida, and incorporated clubs including social clubs, and caterers at horse or dog racing plants as defined in the beverage law of the State of Florida, and also exempting from the operation hereof certain hotels.

Introduction of the bill was agreed to by a two-thirds vote of the House.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 31-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 31-X('49) title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to House Bill No. 31-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Franklin moved that the rules be waived and House Bill No. 31-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 31-X('49) was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 31-X('49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 31-X('49) was read the third time in full.

Upon the passage of House Bill No. 31-X('49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So House Bill No. 31-X('49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 32-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 32-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 32-X('49) when it was introduced in the Senate, and evidence that such Notice has been published, was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 45-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 45-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only, and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 13, 1949

The Honorable Newman C. Brackin
President of the Senate:

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by a two-thirds vote—

By Mr. Papy of Monroe—

H. B. No. 14-X('49)—A bill to be entitled An Act to amend Chapter 23374, Laws of Florida, Acts of the Legislative year 1945, being the Charter of the City of Key West, Florida, by amending Section 8 of Article I of the introductory chapter thereof so as to exclude certain land from the present territorial boundaries of the City of Key West, Florida.

Proof of Publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Mr. Simpson of Jefferson—

H. B. No. 16-X('49)—A bill to be entitled An Act authorizing Boards of County Commissioners in all counties of the State of Florida having more than 10,900 and less than 11,100 population according to the last preceding State Census, to purchase not more than eight voting machines for use in all elections; making the use of such voting machines valid; providing that such voting machines and the use thereof shall be in accordance with provisions of law now in effect and providing an effective date for this Act.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Messrs. Clement, Schuh and McClure of Pinellas—

H. B. No. 25-X('49)—A bill to be entitled An Act to amend Section 17 of Chapter 21598, Laws of Florida, Special Acts of 1941, "An Act to abolish the present municipal government of the City of Tarpon Springs, in Pinellas County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Tarpon Springs, and to define its territorial boundaries and provide for its government, jurisdiction, powers, franchises and privileges and providing for a referendum", by deleting therefrom the provision for a refunding committee to pass on refunding proposals of the bonded debt of the City of Tarpon Springs.

Proof of Publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of
Representatives.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 14-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 14-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only, and placed on the Calendar of Local Bills on Second Reading.

Proof of Publication of Notice was attached to House Bill No. 14-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 16-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 16-X('49) title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Clarke moved that the rules be waived and House Bill No. 16-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 16-X('49) was read the second time by title only.

Senator Clarke moved that the rules be further waived and House Bill No. 16-X('49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 16-X('49) was read the third time in full.

Upon the passage of House Bill No. 16-X('49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So House Bill No. 16-X('49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 25-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 25-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 25-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

The following message from the House of Representatives was read.

Tallahassee, Florida,

September 13, 1949.

The Honorable Newman C. Brackin
President of the Senate:

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by a two-thirds vote—

By Mr. Merchant of Madison—

H. B. No. 52-X('49)—A bill to be entitled An Act to authorize and empower the Judge of the Municipal Court of Greenville to issue search warrants in aid of the enforcement of ordinances of said city to be executed within the limits of said city; to regulate their issuance, service and return.

Proof of publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Mr. Bedenbaugh of Columbia—

H. B. No. 56-X('49)—A bill to be entitled An Act directing the Board of County Commissioners of Columbia County,

Florida, to make or cause to be made a survey and appraisal of all real and personal property to aid the tax assessor in making his annual valuation for the assessment of taxes: to contract with any competent agency to make such survey and appraisal, and to levy a tax not to exceed two (2) mills on the dollar for the year 1950 for the purpose of making such survey and appraisal: and providing for the issuance of tax anticipation certificates.

Proof of publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Messrs. Cobb and Sweeny of Volusia—

H. B. No. 58-X('49)—A bill to be entitled An Act providing for the assessment, equalization and collection, pursuant to Sections 16 and 17 of Article VIII, of the Florida Constitution, as adopted at the 1948 General Election, of all taxes levied by the State, County, County School Board, Special Taxing District, Municipalities, and other agencies in Volusia County, Florida.

Proof of publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 52-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 52-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to House Bill No. 52-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Davis moved that the rules be waived and House Bill No. 52-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 52-X('49) was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 52-X('49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 52-X('49) was read the third time in full.

Upon the passage of House Bill No. 52-X('49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So House Bill No. 52-X('49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 56-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 56-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only and referred to the Committee on Forestry and Parks.

Proof of publication of Notice was attached to House Bill No. 56-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question of whether or not House Bill No. 58-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 58-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only, and placed on the Calendar of Local Bills on Second Reading.

Proof of Publication of Notice was attached to House Bill No. 58-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 13, 1949

The Honorable Newman C. Brackin
President of the Senate:

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by a two-thirds vote—

By Messrs. Surles and Smith of Polk—

H. B. No. 27-X('49)—A bill to be entitled An Act to amend Section 2A of Chapter 10754 Laws of Florida, as passed in 1925 Regular Session of the Florida Legislature, and approved June 8, 1925, as amended by Chapter 14172, Special Acts of 1929 Legislature of Florida, and as changed or altered by subsequent Legislative Acts and/or amendments of said 1925 Act, including Chapter 21334, Special Acts of the 1941 and the 1949 Special Acts at the Regular Session of the Legislature of the State of Florida, relating to the creation and establishment of the City of Lakeland, Florida; describing the territorial boundaries of said city; including certain lands into the territorial jurisdiction of the said city.

Proof of Publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Messrs. Surles and Smith of Polk—

H. B. No. 28-X('49)—A bill to be entitled An Act authorizing the City of Lakeland, Florida, to further regulate the transportation of persons and property for hire on the streets of said city, authorizing the City to limit the number of automobile taxicabs operating therein and to grant for a valuable consideration two or more franchises, including exclusive franchises to different persons, firms or corporations for the use of the streets of said city for the operation of a taxicab business upon such terms and conditions and under

such regulations as may be imposed by the City Commission of said city and authorizing the city to establish and regulate the rates and charges required by taxicabs for the transportation of persons and their baggage over the streets of said city and to establish minimum and maximum charges for such services.

Proof of Publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Messrs. Surles and Smith of Polk—

H. B. No. 30-X('49)—A bill to be entitled An Act prescribing the amount and authorizing the compensation to be paid to and received by the Chairman and other members of County Boards of Public Instruction in Counties of the State of Florida having not less than Nine Hundred instruction units nor more than One Thousand Four Hundred and Fifty instruction units according to the last annual computation of such units made as prescribed by Section 29 of Chapter 23726, Laws of Florida, Acts of 1947; providing for the payment of expenses of such board members and specifying the effective date of said Act.

Proof of Publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE
Chief Clerk, House of
Representatives.

Pursuant to Substitute for Senate Resolution No. 1-X('49) the President submitted the question of whether or not House Bill No. 27-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 27-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to House Bill No. 27-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator King moved that the rules be waived and House Bill No. 27-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 27-X('49) was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 27-X('49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 27-X('49) was read the third time in full.

Upon the passage of House Bill No. 27-X('49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So House Bill No. 27-X('49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X('49) the President submitted the question of whether or not House Bill No. 28-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 28-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to House Bill No. 28-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator King moved that the rules be waived and House Bill No. 28-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 28-X('49) was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 28-X('49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 28-X('49) was read the third time in full.

Upon the passage of House Bill No. 28-X('49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So House Bill No. 28-X('49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X('49) the President submitted the question of whether or not House Bill No. 30-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 30-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 30-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 14, 1949

The Honorable Newman C. Brackin
President of the Senate:
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by a two-thirds vote—

By Messrs. Surles and Smith of Polk—

H. B. No. 29-X('49)—A bill to be entitled An Act amending Section 4 of Chapter 25440, Laws of Florida, Acts of 1949, changing the effective date of this Act which relates to the common boundary line between Pasco and Polk counties, and providing that Pasco county shall assess, levy and collect all ad valorem taxes for the year 1949 on the property herein transferred from Pasco County to Polk County.

Introduction of the bill was agreed to by a two-thirds vote of the House.

Also:

By Messrs. McClure, Schuh and Clement of Pinellas—

H. B. No. 50-X('49)—A bill to be entitled An Act to create a County Budget Commission in Pinellas County, Florida; and to prescribe the powers, duties and functions of such County Budget Commission and the qualifications, terms of office and methods of appointment of members thereof; and to authorize such County Budget Commission to make and control the budget receipts and expenditures of the Board of County Commissioners, the Board of Public Instruction, the Board of Health, the Board of Juvenile Welfare, the Anti-Mosquito Board, and all other boards, commissions, and officials of such county or of taxing districts situate therein authorized to raise and expend moneys for county or district purposes.

Proof of publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

Pursuant to Substitute for Senate Resolution No. 1-X('49) the President submitted the question of whether or not House Bill No. 29-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 29-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 29-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 29-X('49) was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 29-X('49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 29-X('49) was read the third time in full.

Upon the passage of House Bill No. 29-X('49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So House Bill No. 29-X('49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X('49) the President submitted the question of whether or not House Bill No. 50-X('49), contained in the above message, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that House Bill No. 50-X('49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 50-X('49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 13, 1949.

The Honorable Newman C. Brackin
President of the Senate:

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by a two-thirds vote—

By Senator Mathews—

Senate Bill No. 14-X('49):

A bill to be entitled An Act amending Sections 11, 13 and 14 of Chapter 4498, Laws of Florida, Acts of 1895, entitled, "An Act to provide for the municipal officers of the City of Jacksonville, a municipal corporation existing in Duval County, Florida; to prescribe their terms of office, provide for their election and appointment and regulate their compensation, and to repeal Chapter 4301 of the Laws of Florida," so as to provide that only the names of candidates who have been put in nomination by primary election, or in certain cases by the executive committee of a political party, shall be printed on the ballots to be used in general elections in the City of Jacksonville, and to permit candidates to be designated by party and voters to vote a straight party ticket in such elections.

Proof of publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

By Senator Gautier—

Senate Bill No. 24-X('49):

A bill to be entitled An Act to validate the incorporation of the town of Sweetwater in Dade County.

Proof of publication attached.

Introduction of the bill was agreed to by a two-thirds vote of the House.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

And Senate Bills Nos. 14-X('49) and 24-X('49), contained in the above message, were referred to the Secretary of the Senate as Ex-Officio Enrolling Clerk, for enrolling.

ORDER OF THE DAY

Senate Bill No. 31-X('49) was taken up in its order and consideration of the question of whether or not it was within the purview of the business for which this extraordinary session was convened was informally passed.

PENDING ROLL CALL

Senate Bill No. 16-X(49):

A bill to be entitled An Act relating to certain coin operated machines: providing license taxes thereon: providing for affixing of decal stamps thereon; placing supervision of Act under Comptroller; providing for special inspectors and their compensation; making an appropriation; providing for disposition of license taxes collected; providing for confiscation of illegally operated machines.

Which was pending roll call, having been read the third time in full, as amended, on September 13, 1949, was taken up.

Pending roll call on the passage of Senate Bill No. 16-X(49), as amended, Senator Tucker moved that the rules be waived and Senate Bill No. 16-X(49) be placed back on the Calendar of Bills on Second Reading for the purpose of further amendment.

Which was not agreed to, so the motion failed of adoption.

Pending roll call on the passage of Senate Bill No. 16-X(49), as amended, Senator Gautier moved that the rules be waived and the Senate then reconsider the vote by which the motion made by Senator Tucker to place Senate Bill No. 16-X(49) back on the Calendar of Bills on Second Reading for the purpose of further amendment failed of adoption.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which the motion made by Senator Tucker failed of adoption.

The question recurred on the motion made by Senator Tucker to place Senate Bill No. 16-X(49) back on the Calendar of Bills on Second Reading for the purpose of further amendment.

The question was put on the motion made by Senator Tucker.

Which was agreed to by a two-thirds vote and Senate Bill No. 16-X(49) was placed back on the Calendar of Bills on Second Reading for the purpose of further amendment.

Senator Tucker offered the following amendment to Senate Bill No. 16-X(49):

In Section 2, line 6 (typewritten bill), strike out the word "thirty" and insert word "fifteen."

In Section 2, line 6, strike word "twenty" and insert "ten."

In Section 2, line 6, strike word "ten" and insert the word "five."

Senator Tucker moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Sturgis offered the following amendment to Senate Bill No. 16-X(49):

After Section 1, add a new section as follows:

(1½) No coin operated machine as herein mentioned shall contain any machinery, contrivance or device by which automatically, or by which any change in such coin operated machine, will permit or cause automatically to be made available to the player any money, token, ticket or thing of value. Any machine in violation hereof shall be confiscated.

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard offered the following amendment to Senate Bill No. 16-X(49):

Strike out all of Section Nine (9).

Senator Baynard moved the adoption of the amendment.

Which was agreed to so the amendment was adopted.

Senator Baynard also offered the following amendment to Senate Bill No. 16-X(49):

Amend Sections 10, 11 and 12 by renumbering as follows:

Section 10 to be renumbered as Section 9

Section 11 to be renumbered as Section 10

Section 12 to be renumbered as Section 11

Senator Baynard moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

Senator Walker moved that the rules be waived and Senate Bill No. 16-X(49), as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 16-X(49), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 16-X(49), as amended, the roll was called and the vote was:

Yeas—20.

Alford	Clarke	Johnston	Sanchez
Baynard	Crary	Leaird	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier	Ray	Walker
Carroll	Johns	Rodgers	Wright

Nays—18.

Mr. President	Davis	Moore	Sturgis
Ayers	Getzen	Pearce	Tucker
Baker	King	Pope	Wilson
Beacham	Lindler	Sheldon	
Collins	Mathews	Smith	

So Senate Bill No. 16-X(49) passed, as amended, and was referred to the Secretary of the Senate as Ex-Officio Engrossing Clerk, for engrossing.

SENATE BILLS ON SECOND READING

Senate Bills Nos. 19-X(49), 18-X(49) and 20-X(49) were taken up in their order and the consideration thereof was informally passed.

Senator Shands moved that Senate Joint Resolution No. 26-X(49) be recommitted to the Committee on Constitutional Amendments for the purpose of further study.

Which was agreed to and Senate Joint Resolution No. 26-X(49) was recommitted to the Committee on Constitutional Amendments.

Senate Bills Nos. 7-X(49), 8-X(49) and 9-X(49) were taken up in their order and the consideration thereof was informally passed.

Senate Bill No. 25-X(49):

A bill to be entitled An Act amending Section 192.06, Florida Statutes, relating to the exemption of certain properties from ad valorem taxes, and excluding properties held and operated for profit from the right to exemption under said section as amended.

Was taken up in its order and read the second time in full.

Senator Ray, President Pro Tempore, now presiding.

Senator Gautier moved that the rules be waived and Senate Bill No. 25-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 25-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 25-X(49) the roll was called and the vote was:

Yeas—35.

Mr. President	Collins	Leaird	Sanchez
Alford	Crary	Lindler	Shands
Ayers	Davis	Mathews	Sheldon
Baker	Franklin	McArthur	Shivers
Beacham	Gautier	Moore	Sturgis
Beall	Getzen	Pearce	Tucker
Boyle	Johns	Pope	Wilson
Carroll	Johnston	Ray	Wright
Clarke	King	Rodgers	

Nays—1.

Baynard

So Senate Bill No. 25-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The President now presiding.

Senator McArthur moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:41 o'clock, P. M., until 11:00 o'clock, A. M., Thursday, September 15, 1949.